

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

FEB 22 2007

CLERK  
U. S. DISTRICT COURT  
MIDDLE DIST. OF ALA.

UNITED STATES OF AMERICA )

v. )

MICHAEL GIBSON )

) CR. NO. 2:07cr22-WHA  
) [21 USC 841(a)(1)]  
)  
)  
)

) INDICTMENT

The Grand Jury charges:

COUNT 1

February, 2007

On or about the 14th day of ~~March, 2004~~, in Montgomery County, within the Middle District of Alabama, the defendant,

MICHAEL GIBSON,

did knowingly and intentionally distribute and possess with intent to distribute 50 grams or more of cocaine base ("crack"), a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

FORFEITURE ALLEGATION

A. Count 1 of this indictment is hereby repeated and incorporated herein by reference.

B. Upon Conviction for violation of Title 21, United States Code, Section 841(a)(1) as alleged in Count 1 of this indictment, the defendant:

MICHAEL GIBSON,

shall forfeit to the United States pursuant to Title 21, United States Code, Section 853, any and all property constituting or derived from any proceeds the said defendant obtained directly or indirectly as a result of the said violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Count 1 of this Indictment.

Offense date corrected per 8/1/07 order (Doc. #37)

C. Substitute Assets

If any forfeitable property, as a result of any act or omission of the defendant:

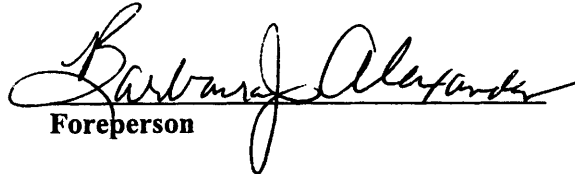
- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without

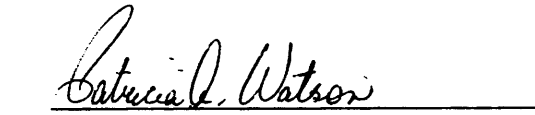
difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the forfeitable property.

All in violation of Title 21, United States Code, Sections 841(a)(1), and 853.

**A TRUE BILL:**

  
Foreperson

  
LEURA G. CANARY  
United States Attorney

  
JOHN T. HARMON  
Assistant United States Attorney

  
TODD A. BROWN  
Assistant United States Attorney